

Application No.: 10/829,432  
Docket No.: BB1167USCNT

Page 4

### AMENDMENTS TO CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### Listing of Claims:

Claims 1-11 (canceled)

12. (new) An isolated nucleic acid fragment comprising:

- (a) a nucleotide sequence encoding a polypeptide having adenosine 5'-phosphosulfate kinase activity, wherein the polypeptide has an amino acid sequence of at least 80% sequence identity, based on the Clustal method of alignment, when compared to SEQ ID NO:4; or
- (b) a full-length complement of the nucleotide sequence of (a).

13. (new) The isolated nucleic acid fragment of Claim 12, wherein the amino acid sequence of the polypeptide has at least 85% sequence identity, based on the Clustal method of alignment, when compared to SEQ ID NO:4.

14. (new) The isolated nucleic acid fragment of Claim 12, wherein the amino acid sequence of the polypeptide has at least 90% sequence identity, based on the Clustal method of alignment, when compared to SEQ ID NO:4.

15. (new) The isolated nucleic acid fragment of Claim 12, wherein the amino acid sequence of the polypeptide has at least 95% sequence identity, based on the Clustal method of alignment, when compared to SEQ ID NO:4.

16. (new) The isolated nucleic acid fragment of Claim 12, wherein the amino acid sequence of the polypeptide comprises SEQ ID NO:4.

17. (new) The isolated nucleic acid fragment of Claim 12, wherein the nucleotide sequence comprises SEQ ID NO:3.

18. (new) The isolated nucleic acid fragment of Claim 12, wherein the nucleic acid fragment is a functional RNA.

Application No.: 10/829,432  
Docket No.: BB1167USCNT

Page 5

19. (new) A recombinant DNA construct comprising the isolated nucleic acid fragment of Claim 12 operably linked to at least one regulatory sequence.

20. (new) A transformed host cell comprising the recombinant DNA construct of Claim 19.